

Hiawatha Coal Company

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Coal Program
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

February 4, 1999

Daron Haddock,

Re: Response to Division Order 97A, Hiawatha Coal Company, Hiawatha Complex, ACT/007/011, Carbon County, Utah

2

Enclosed is a submittal in response to the remaining deficiencies for Division Order 97A. Also attached is an item by item descriptive response to the deficiencies. The amendment includes revised pages and Exhibits listed on the enclosed Form C2. The previous Appendix VII-5 is being replaced by the enclosed Appendix VII-5. Also, Exhibit V-13E is being removed as part of this amendment. Information previously shown on this Exhibit has been moved to Exhibits V-4 and VII-19.

We anticipate having an outline of the operational plan in early March. As this is completed, we will set up a meeting with SHIPO and DOGM to review the historical facilities which will be affected by the operational plan. This is being done in accordance with our discussions in the December 18th meeting with your staff.

If you have any questions, please call me or Charles Reynolds at (435) 637-1778.

7 Copies
Submitted

FS-1 investment

Sincerely,

E. Finley
Elliot Finley,
President

RECEIVED
FEB 11 1999

Continue (CTS)
DO-97A
Amendment (Aron)
Copy Aaron - Paul
(all)

APPLICATION FOR PERMIT PROCESSING

Permit Change ☐New Permit ☐Renewal ☐Transfer ☐Exploration ☐Bond Release ☐

Permit Number: ACT/007/011

Title of Proposal: 2nd Response to DO-97A

Mine: HIAWATHA COMPLEX

Permittee: HIAWATHA COAL CO.

Description, include reason for application and timing required to implement:

Response to December 4, 1998, deficiencies

Instructions: If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

<input type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	2. Is the application submitted as a result of a Division Order? DO # DO-97A
<input type="checkbox"/> No	3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> No	6. Does the application require or include public notice/publication?
<input type="checkbox"/> No	7. Does the application require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> No	8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> No	9. Is the application submitted as a result of a Violation? NOV #
<input type="checkbox"/> No	10. Is the application submitted as a result of other laws or regulations or policies? Explain:
<input type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input type="checkbox"/> No	12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input type="checkbox"/> No	14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input type="checkbox"/> No	16. Does the application require or include vegetation monitoring, removal or revegetation activities?
<input type="checkbox"/> No	17. Does the application require or include construction, modification, or removal of surface facilities?
<input type="checkbox"/> Yes	18. Does the application require or include water monitoring, sediment or drainage control measures?
<input type="checkbox"/> Yes	19. Does the application require or include certified designs, maps, or calculations?
<input type="checkbox"/> No	20. Does the application require or include subsidence control or monitoring?
<input type="checkbox"/> No	21. Have reclamation costs for bonding been provided for?
<input type="checkbox"/> Yes	22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input type="checkbox"/> No	23. Does the application affect permits issued by other agencies or permits issued to other entities?

☐ Attach 7 complete copies of the application.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

E. Finley President 2-4-99
Signed - Name - Position - Date

Subscribed and sworn to before me this 14 day of Jan, 1999

Notary Public

My Commission Expires: 7-16, 19 2002
Attest: STATE OF Utah
COUNTY OF Emery

Received by Oil, Gas & Mining

FEB 18 1999

ASSIGNED TRACKING NUMBER

Application for Permit Processing Detailed Schedule of Changes to the MRP

Title of Application:

DO-97A Response to December 4, 1998 deficiencies.

Permit Number: ACT/007/011

Mine: HIAWATHA COMPLEX

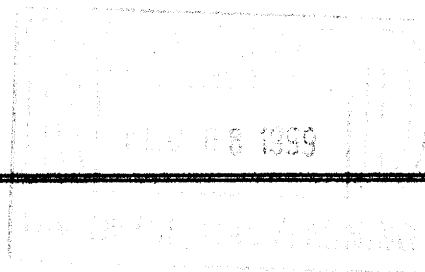
Permittee: HIAWATHA COAL CO.

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit application. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the existing mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> REPLACE			pg. 2-v; Chapter II Table of Contents Exhibits updated.
<input type="checkbox"/> REPLACE			pp. 2-1, 2-9, 2-10, 2-12, 2-16, 2-20, 2-22, 2-24, 2-25, 2-29, 2-30, 2-33, 2-34, 2-39, 2-40, 2-41, 2-43; Deficiencies, references corrected in Chapter II.
<input type="checkbox"/> REPLACE			Appendix II-4, pp. 28, 36, 37; Deficiency, references corrected in appendix II-4.
<input type="checkbox"/> REPLACE			Exhibits II-4A, II-4B; Vegetation reference area information moved to Exhibits III-4 and III-5.
<input type="checkbox"/> REPLACE			pg. 3-iii; Chapter III Table of Contents Tables updated.
<input type="checkbox"/> REPLACE			pg. 3-23; Deficiencies in interim reclamation plan corrected.
<input type="checkbox"/> REPLACE			Exhibits III-4, III-5; Vegetation reference area information corrected.
<input type="checkbox"/> REPLACE			pp. 5-6, 5-8, 5-25, 5-27, 5-35, 5-36, 5-38, 5-41, 5-42, 5-48, 5-50, 5-53, 5-56, 5-59, 5-61; References and deficiencies corrected in Chapter V.
<input type="checkbox"/> REPLACE			Exhibit V-4; As-built cross-section added from V-13E.
<input type="checkbox"/> REPLACE			Exhibit V-13; Post-mining culverts shown on map.
<input type="checkbox"/> REPLACE			Exhibits V-19, V-20; Post-mining diversions shown on maps.
	<input type="checkbox"/> REMOVE		Exhibit V-13E; Information moved to VII-19 and V-4 to consolidate information.
<input type="checkbox"/> REPLACE			7-ii, 7-iii, 7-vii, 7-viii; Chapter VII Table of Contents updated.
<input type="checkbox"/> REPLACE			7-61, 7-83, 7-84, 7-86 thru 7-95; Chapter VII references and deficiencies corrected.
<input type="checkbox"/> REPLACE			Appendix VII-5; NPDES discharge permit added, diversion designs included in App. VII-19.
<input type="checkbox"/> REPLACE			Appendix VII-19 All; Deficiencies corrected, information clarified.
<input type="checkbox"/> REPLACE			Exhibits VII-18A, VII-18C, VII-18D, VII-19, VII-20, VII-21; Deficiencies corrected.

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

See enclosed detailed description of responses to deficiencies.



2nd Response to Outstanding Deficiencies - Division Order 97A

Following is a response to the deficiencies outlined in the Division letter dated December 4, 1998, which was received by Hiawatha Coal Company. The discussions below outline the changes which have been made in the enclosed submittal.

R645-301-121.200

The errors outlined in the technical analysis have been corrected. Item 3 referred to soil sample results shown in Table II-7, identified as area "UP", which were not identified in the narrative or on Exhibit II-4A. No record of the location of samples 9 and 10 were found within the MRP or the mine record files. HCCI met with U.S. Fuel Company, the previous permittee, to attempt to identify these locations. U.S. Fuel Co. also had no record of the location of these soil samples. HCCI feels that the information on these samples have no value if the locations are not known, and therefore we have removed the information from Table II-7.

Item 6 discussed the rates of mulch which would be applied to reclaimed areas. It stated that Table II-14 indicates that 2.5 tons of organic additive is needed, and that this is not consistent with other references in Chapter II. It should be noted that the information in Table II-14 refers to reclamation of Borrow Area "A", whereas the other references are referring to reclamation of other areas within the disturbed area and are not related to the information in Table II-14.

R645-301-233.200

The reference has been removed from Appendix II-4, pg. 28, and page 2-29 of Chapter II.

R645-301-411.140

On December 18, 1998, a meeting was held with the Division staff regarding the operation and reclamation plan for structures eligible for listing in the National Register. At that time it was determined that this item could be separated out from DO-97A and addressed separately. HCCI verbally requested an extension until May 1, 1999, to respond to this item. No changes have been included in this submittal to address this item at this time, but will be submitted in accordance with the discussions in the meeting.

R645-301-222

A commitment to conducting an Order I soil survey has been added to page 2-1. The deficiency requested a commitment to have a third party professional soil scientist onsite during topsoil removal. Although HCCI is entirely will to have a third party professional onsite during these activities, we feel it is beyond the minimum requirements of the R645 regulations to require such a commitment to be placed in the MRP.

R645-301-232.200

The text on pg. 2-34 has been revised to address this item.

R645-301-231.400

Table II-12 has been revised to reflect the requested information.

R645-301-331

Page 3-23 has been corrected to commit to 80 pounds per acre of annual grain.

R645-301-120

References have been reviewed and corrected.

R645-301-725.300

The UPDES has been included as Appendix VII-5. The previous Appendix VII-5 is being removed. All designs for the diversions previously in Appendix VII-5 have been included in Appendix VII-19.

R645-301-742.422

A description has been added to pg. 5-35. Appendix VII-19 includes an amendment to replace the fords with a culvert (designated as culvert No. 59). HCC understands that a stream alteration permit will be required as well, as is in the process of applying for a stream alteration permit to eliminate the stream fords.

R645-301-730

A note has been added to Plate VII-18A clarifying DD-6. Ditch lines have been revised to be able to better discern all ditches.

R645-301-730

Site specific design criteria have been added for the culverts and ditches. Sources have been included for the roughness coefficients used. Open channel flow criteria has been met for the culvert designs. The design information for the drainages are presented in Table 1 of Appendix VII-19. Tables 2 and 3 have been revised to specify the design event for each ditch and culvert.

R645-301-730

Watersheds DA-13 and DA-12 have been clarified on Exhibit VII-20. The areas on top of the refuse piles and slurry ponds have been labeled and designs included in Appendix VII-19. Contours have been corrected to reflect the actual drainage for slurry ponds 4 and 5 and hydrology calculations have been adjusted as necessary.

R645-301-742

Page 7-86 has been corrected to discuss the ASCA for the North Fork portal area, and the area has been shown on Exhibit VII-18D

R645-301-742.313

A description of culvert 57, including reclamation, was added to page 7-88 for clarification.

R645-301-730

Legends and North arrows have been added to VII-18, VII-19, and VII-20. Exhibit V-13E has been eliminated and the information moved to Exhibit VII-19. A certified copy of Exhibit V-5 was submitted on April 16, 1998, and has already been incorporated into the MRP, effective February 9, 1998. Please let us know if the Division's MRP is missing this Exhibit and we can forward new copies. The size of culverts 55 and 56 have been corrected on Exhibit VII-18C. A description has been added for ASCA 5, a rock gabion structure for the water truck loading area. Designs are found in Appendix VII-15.

R645-301-542.100

Table V-7 has been updated to show the reclamation work which has been completed, as well as remaining reclamation work. It is anticipated that the North Fork diversion may be required to supply the mine with water. Until the mine is reopened and a determination can be made as to water availability, an exact date of reclamation of the North Fork pipeline will not be known. Table V-7 reflects the schedule as being "when no longer needed". The North Fork stream fords will need to be fitted with culverts to allow the road to remain for post-mining use. The culvert designs are included in this submittal in response to R645-301-742.422 (above). It is the intent of HCC to install these culverts upon approval of this submittal.

R645-301-240

References to V-9C have been corrected to reference II-4A.

R645-301-731.311

Page 2-40 has been corrected to include the requested analytes.

R645-301-242

A reference has been added to pp. 2-41 and 2-43 to clarify the requested information. The deficiency also references pages 58-60 of chapter 2. No such pages exist in the approved text.

R645-301-742.300

As described above, the design factors have been corrected for the ditches and culverts in Appendix VII-19. The design information has been clarified, with the Tables including design storm events, map references, capacities, etc. Ditches and culverts to be retained for reclamation have been included on Exhibits V-4, V-9D, V-19 and V-20. Table 2 of Appendix VII-19 cross-references the ditches on the Exhibits. A commitment has been added to pp. 2-25 and 2-30 to submit diversion designs for topsoil stockpiles which are constructed during regrading activities.

R645-301-541.300

A description of the operation plan for the diversion is given on pg. 5-25 and reclamation plans are described on pg. 5-50. HCCI does not propose to alter the stream cross section, but only to remove any man-made objects used for diverting water.

R645-301-121.200

The text on page 2-39 has been revised to clarify the slurry pond #1 reclamation.

R645-301-742.313

The areas associated with the railroad surfaces have been designated as having historical value (Appendix IV-7 and IV-8). It is unsure at this time whether these areas will be needed during the operational phase of the mine. A complete operation and reclamation plan for all structures having potential historic value will be submitted to the Division as described in the third item of this response. It is estimated this information will be submitted in May, 1999, in accordance with the meeting held with the Division in December, 1998. Diversions for the reclaimed road surfaces are shown on Exhibits V-13, V-19 and V-20, and designs have been included in Appendix VII-19.

R645-301-341

The location of reference area SBR3 has been corrected on Exhibit III-4. All reference areas have been added to Exhibits III-4 and III-5 and have been removed from Exhibits II-4A through II-4C, reclamation area maps.

R645-301-512

V-9D has been certified. The legend has been updated to include the dark dotted lines, which delineate the Utah Railway right-of-way. Drainage areas are found on Exhibits VII-19, VII-20, and VII-21.